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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,264	04/24/2000	Glen Kazumi Okita	02365.P0015	8596

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EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Nb

Office Action Summary

Application No.

09/557,264

Applicant(s)

OKITA ET AL.

Examiner

Greg Cunningham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☒ Claim(s) 3,4,8,16 and 18-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This action is responsive to communications of application filed 04/24/2000.
2. The group art unit of the examiner handling your case is currently 2672. Please be sure to use the most current art unit number on all correspondence to help us route your case and respond to you in a timely fashion.
3. The disposition of the claims is as follows: claims 1-23 are pending in the application. Claims 1, 9, and 13 are independent claims.

Information Disclosure Statement

4. The information disclosure statement received 11/04/2000 fails to comply, for those references lined through, with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no publication or copyright date given. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Oath/Declaration

5. The Oath/Declaration of the disclosure is objected to because a proper signature for applicant Chan is not given. Correction is required. See 37 CFR § 1.63.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 17 recites the limitation "the statistical information" in end of claim sentence.

There is insufficient antecedent basis for this limitation in the claim.

(Examiner's note: Most likely claim 17 should depend from claim 15.)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 9, 13-15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du (US Patent Number 6,052,684).

A. Per claim 1, "A method of displaying information relating to a workflow comprising the steps of: executing the workflow; gathering statistical information relating to the execution of the workflow; and displaying the gathered information" is disclosed in abstract at "A system for allowing consistent execution of a workflow process in a computer-enabled workflow management system is described. The workflow process includes at least one sequence of workflow actions, having at least one set of parallel workflow actions and being configured as a number of nodes interconnected by arcs. Each node defines and executes at least one of the workflow actions. The system includes a workflow process database accessible by the nodes of

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the workflow process to read and write data items when executing the workflow actions. The system also includes a module for maintaining execution consistency among the workflow actions when the nodes access the workflow process database to read and write the data items in carrying out the workflow actions. A computer-implemented method for consistently executing a workflow process in a workflow management system is also described”;

and in col. 1, lns. 39-43 at “Finally, they can provide history information in the form of an audit trail for completed workflow processes and collect statistical data for process and resource bottleneck analysis, flow optimization and automatic workload balancing”;

and in col. 5, lns. 53-60 at “In general, a workflow process 18 is a description of the sequencing, timing, dependency, data, physical agent allocation, business rule and organization policy enforcement requirements of process activities needed to enact work. FIG. 3 shows, by way of example, a workflow process 18 which is represented as a directed graph 40 consisting of a set of nodes connected by arcs as displayed on the HP OpenPM user interface.”

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply collection of statistical data disclosed by Du in combination with process status monitor disclosed by Du in Fig. 2,

B. Per claim 9, A workflow system comprising” a workflow server engine for executing workflows; a display device for displaying workflow diagrams; and overlaying data provider for providing information relating to an executing workflow to the display” is disclosed, supra for claim 1, and in col. 4, lns. 26-31 at “Optionally, workflow process activity information, such as resource data and rules, can be stored in a database on a centralized WFPM server 17 which is

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accessible by the computer systems 12a-d over the network 11 or can be stored in a plurality of databases on each of the computer systems 12a-d.”

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply collection of statistical data disclosed by Du in combination with server also disclosed by Du.

C. Per claim 13, “A method of collecting information relating to a workflow comprising the steps of: executing the workflow; and collecting information relating to the execution of the workflow” is inherently implied as disclosed in abstract “The system includes a workflow process database accessible by the nodes of the workflow process to read and write data items when executing the workflow actions.”

D. Per claim 14, “The method of claim 13 further comprising the step of displaying the collected information” is disclosed, supra for claims 13 and 1.

E. Per claim 15, “The method of claim 14 wherein the collected information is statistical information” is disclosed, supra for claims 14 and 1.

F. Per claim 17, “The method of claim 14 further comprising the step of displaying the statistical information” is disclosed, supra for claims 14 and 1.

10. Claims 2, 5-7, 11, 12, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du (US Patent Number 6,052,684) as applied to claims 1 and 9 above, and further in view of InConcert, third other reference of IDS.

A. Per claim 2, “The method of claim 1, further comprising the steps of: displaying a workflow diagram; and overlaying the gathered information over the workflow diagram” is

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disclosed, supra for claim 1. However Du does not disclose “overlaying the gathered information over the workflow diagram”, but InConcert inherently implies this as disclosed on page 1 at “Accesses and tracks any type of data (text, graphics, images, spreadsheets, video)”.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply workflow process execution disclosed by Du in combination with accessing and tracking any type of data disclosed by InConcert.

B. Per claim 5, “The method of claim 1, further comprising the steps of: displaying a workflow diagram; and selectively overlaying the gathered information over the workflow diagram” is disclosed, supra for claim 2, and by InConcert at “Standard desktop applications, as well as custom or tailored applications, can be easily integrated and launched with the click of a mouse”

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply workflow process execution disclosed by Du in combination with “easily integrated and launched with the click of a mouse” disclosed by InConcert.

C. Per claim 6, “The method of claim 5, wherein the information is selectively displayed by positioning a pointer over the display” is disclosed, supra for claim 5. Wherein pointer and mouse are equivalent.

D. Per claim 7, “The method of claim 1, further comprising the step of color coding the displayed information” is disclosed, supra for claim 2, particularly at “Accesses and tracks any type of data (text, graphics, images, spreadsheets, video)”.

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E. Per claim 23, “The method of claim 1, wherein the gathered information is displayed in a table” is disclosed, supra for claim 2, particularly at “Accesses and tracks any type of data (text, graphics, images, spreadsheets, video)”, wherein a spreadsheet is equivalent to a table.

F. Per claim 11, “The workflow system of claim 9, wherein the display device displays a workflow diagram” is disclosed, supra for claims 9 and 2.

G. Per claim 12, “The workflow system of claim 9, wherein the display device displays the information as an overlay to the workflow diagram” is disclosed, supra for claims 11 and 2.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Du (US Patent Number 6,052,684) as applied to claim 9 above, and further in view of Okita et al., (US Patent Number 6243092), hereafter Okita.

A. Per claim 10, “The workflow system of claim 9, wherein the display device is a workflow editor” is disclosed, supra for claim 9. However Du does not disclose “wherein the display device is a workflow editor”, but Okita does in col. 3, lns. 13-17 at “The present invention includes a graphical application workflow editor that simplifies the creation and modification of application workflows, and reduces the time required to create business applications.”

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply workflow process execution disclosed by Du in combination with “workflow editor” disclosed by Okita.

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Allowable Subject Matter

12. Claims 3, 4, 8, 16, and 18-22 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Responses

13. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi, can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

J. F. Cunningham

gfc

May 6, 2002

Jeffery A. Brier
JEFFERY BRIER
PRIMARY EXAMINER